

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

v.

12 ELMER TULIO AGUILAR-RIVAS,

13 Defendant.

14 CASE NO. CR18-0023-JCC

ORDER

15 This matter comes before the Court on Defendant's unopposed third motion to extend the
16 indictment deadlines in this matter (Dkt. No. 23). Having thoroughly considered the motion,
17 Defendant's waiver of speedy indictment (Dkt. No. 24), and the relevant record, the Court
18 hereby GRANTS the motion for the reasons explained herein.

19 The Court concludes that it would be unreasonable to require the filing of an indictment
20 within the period required by statute because of Defendant's need to further evaluate the case in
21 conjunction with his immigration attorney and in light of pending immigration proceedings prior
22 to an indictment. Without an extension, the Government and defense counsel would be denied
23 the reasonable time necessary to pursue negotiations and for effective preparation, taking into
24 account the exercise of due diligence. Therefore, the Court finds that the ends of justice served
25 by granting a continuance outweigh the best interests of the public and the defendant in a speedy
26 indictment.

1 The Court therefore ORDERS that the date on or before an indictment must be filed is
2 hereby EXTENDED from May 2, 2018 to May 16, 2018.

3 The Court further ORDERS that period of delay from May 2 to May 16, 2018, is
4 excludable time pursuant to 18 U.S.C. § 3161(h)(7)(A) for the purpose of computing the time
5 limitations imposed by the Speedy Trial Act.

6 DATED this 1st day of May 2018.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE